

# CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII 96813-3077

ERNEST Y. MARTIN  
CHAIR & PRESIDING OFFICER  
IKAIKA ANDERSON  
VICE CHAIR  
BREENE HARIMOTO  
FLOOR LEADER  
STANLEY CHANG  
CAROL FUKUNAGA  
ANN H. KOBAYASHI  
JOEY MANAHAN  
RON MENOR  
KYMBERLY MARCOS PINE

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## JOURNAL

REGULAR MEETING  
13TH SESSION  
WEDNESDAY, NOVEMBER 13, 2013

CITY COUNCIL CHAMBER  
3<sup>RD</sup> FLOOR, HONOLULU HALE  
HONOLULU, HAWAII 96813

*Note: The video of the full proceedings of this meeting can be viewed at <http://honolulucountyhi.igm2.com> or a copy of the video may be requested by calling the City Clerk's Office at 768-5822.*

### CALL TO ORDER

Pursuant to adjournment, the regular meeting of the City Council was called to order by the Chair and Presiding Officer, Ernest Y. Martin, at 10:38 a.m.

### ROLL CALL

Roll call showed the following Councilmembers present:

Councilmembers Anderson, Chang, Fukunaga, Harimoto, Kobayashi, Manahan, Menor, Pine, Martin - 9.

### INTRODUCTION OF GUESTS

There were no guests.

**APPROVAL OF MINUTES**

Councilmember Anderson moved that the Minutes of the 12th Session (October 9, 2013) be approved, subject to corrections by Councilmembers within 30 days. Seconded by Councilmember Harimoto.

AYES:        ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,  
              MENOR, PINE, MARTIN – 9.  
NOES:        None.

**ORDER OF THE DAY – MORNING CALENDAR**

**ADOPTION**

**REPORT OF PERMITTED INTERACTION GROUP RELATING TO THE HAIKU STAIRS**

**COUNCIL COMMUNICATION 194**

October 2, 2013 – From Councilmember Joey Manahan, submitting a report pursuant to Resolution 13-181 which established a permitted interaction group of councilmembers to investigate safety and access issues relating to the Haiku Stairs.

Councilmember Anderson moved that Communication CC-194 be adopted as the Findings of the investigative committee. Seconded by Councilmember Harimoto.

There was no public testimony.

Communication CC-194 was adopted as the Findings of the investigative committee.

AYES:        ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,  
              MENOR, PINE, MARTIN – 9.  
NOES:        None.

**ADOPTION**

**RESOLUTION 13-242 – COMMITTEE REPORT 316**

RESOLUTION RELATING TO THE REAPPOINTMENT OF LYNETTE LO KANDA, ALSO KNOWN AS LYNETTE LO TOM, TO SERVE ON THE CITIZENS ADVISORY COMMISSION ON CIVIL DEFENSE OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Fukunaga moved that Committee Report 316 and Resolution 13-242 be adopted. Seconded by Councilmember Pine.

There was no public testimony.

Councilmember Fukunaga urged councilmembers to support Resolution 13-242. She stated that as the City faces more natural disasters and difficult challenges, the Civil Defense Commission will benefit from Ms. Kanda's experience and background.

Committee Report 316 and Resolution 13-242 were adopted.

AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,  
MENOR, PINE, MARTIN – 9.  
NOES: None.

Chair Martin recognized and congratulated Ms. Kanda on her appointment.

Related communications:

M-2794 Karl Godsey  
M-2818 John E. Kobayashi  
M-2832 Glenn T. Kimura, Kimura International Inc.

### **THIRD READING**

#### **BILL 53, CD2, FD1 – COMMITTEE REPORT 315**

A BILL FOR AN ORDINANCE RELATING TO OPEN DATA.

The following amendment was posted on the agenda:

Bill 53, CD2, Proposed FD1

Councilmember Fukunaga moved that Committee Report 315 be adopted and Bill 53, CD1 pass third reading, as amended to CD2. Seconded by Councilmember Pine.

Councilmember Fukunaga moved that the Bill be amended to FD1. Seconded by Councilmember Pine. The amendment deletes the sections pertaining to the Legislative Branch, aligning the measure with the State's open data legislation.

The following individuals testified:

1. Mark D. Wong, Department of Information Technology (D-828) (Support)
2. Wynn timer Hee (Support)
3. Burt Lum, Hawaii Open Data (Support)
4. Richard Baker, Friends of Hanauma Bay (Support)
5. Choon James (General comment)
6. Natalie Iwasa (Support)

Bill 53, CD2 was amended to FD1.

AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,  
MENOR, PINE, MARTIN – 9.  
NOES: None.

Committee Report 315 was adopted and Bill 53, CD2, FD1 passed third reading.

AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,  
MENOR, PINE, MARTIN – 9.  
NOES: None.

Related communications:

M-2795	Todd J. Robertson, Hyperspective Studios
M-2796	Tara Coomans
M-2797	Sharon Moriwaki, Hawaii Energy Policy Forum
M-2819	Bob Kern
M-2847	Miriam A. Stash
M-2863	Spencer Toyama, Sudokrew Solutions
M-2864	Jon Shear
M-2865	Ben Trevino, University of Hawaii Economic Research Organization
M-2866	Jared I. Kuroiwa, Hawai'i Innovation Alliance

### **THIRD READING**

#### **BILL 55, FD1 – COMMITTEE REPORT 337**

A BILL FOR AN ORDINANCE RELATING TO THE GRANTS IN AID FUND.

The following amendment was posted on the agenda:

Bill 55, Proposed FD1

Councilmember Kobayashi moved that Committee Report 337 be adopted and Bill 55 pass third reading. Seconded by Councilmember Chang.

Councilmember Kobayashi moved that the Bill be amended to FD1. Seconded by Councilmember Chang. The amendment requires that all monies for projects to be funded with Grants in Aid monies be awarded and encumbered within 45 days of the beginning of the fiscal year; clarifies that all notices to proceed shall not be unreasonably withheld; and requires that for all projects funded through the Fiscal Year 2014 budget, all monies for projects to be funded with Grants in Aid monies shall be awarded and encumbered by December 31, 2013.

The following individuals testified:

1. Natalie Iwasa (General comment)
2. Pamela Witty-Oakland, Department of Community Services (D-829) (General comment)

Bill 55 was amended to FD1.

AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN, MENOR, PINE, MARTIN – 9.  
NOES: None.

Councilmembers Manahan (CC-179), Menor (CC-225), and Kobayashi (CC-227) noted for the record that they filed Disclosures of Interest with the City Clerk's Office.

Committee Report 337 was adopted and Bill 55, FD1 passed third reading.

AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN, MENOR, PINE, MARTIN – 9.  
NOES: None.

**THIRD READING**

**BILL 46, CD1 – COMMITTEE REPORT 293**

A BILL FOR AN ORDINANCE TO REZONE LANDS SITUATED AT 1812 KALAKAUA AVENUE AND PORTION OF KALAKAUA AVENUE, MCCULLY, OAHU, HAWAII.

Councilmember Anderson moved that Committee Report 293 be adopted and Bill 46, CD1 pass third reading. Seconded by Councilmember Harimoto.

There was no public testimony.

Committee Report 293 was adopted and Bill 46, CD1 passed third reading.

AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN, MENOR, PINE, MARTIN – 9.

NOES: None.

Related communication:

D-813 Don S. Kitaoka, Department of the Corporation Counsel

**THIRD READING**

**BILL 48, CD1, FD1 – COMMITTEE REPORT 354**

A BILL FOR AN ORDINANCE TO REZONE LANDS SITUATED AT WAIPIO, CENTRAL OAHU, HAWAII.

The following amendment was posted on the agenda:

Bill 48, CD1, Proposed FD1

Councilmember Anderson moved that Committee Report 354 be adopted and Bill 48, CD1 pass third reading. Seconded by Councilmember Harimoto.

Councilmember Anderson moved that the Bill be amended to FD1. Seconded by Councilmember Harimoto. The amendment deletes all reference to the parcel identified as Tax Map Kay 9-4-006: 005; amends the acreage of the two City-owned parcels noted on Exhibit A-1; and makes miscellaneous technical and non-substantive amendments.

The following individuals testified:

1. Kika Bukoski, Hawaii Building Trades Council (M-2793) (Support)
2. Richard Poirier, Neighborhood Board No. 25 (D-818) (Request deferral)
3. Lance Yoshimura, Mililani-Mauka Launani Valley Neighborhood Board 35 (Support)
4. David Samson (Support)
5. Justin Kochi (Support)
6. Sean Newcamp, Hawaii Regional Council of Carpenters (M-2800) (Support)
7. Doug Thomas (M-2850) (Oppose)
8. Karen Loomis (M-2798) (Request deferral)
9. Ann Freed (M-2799) (Oppose)
10. Cindy McMillan, The Pacific Resource Partnership (M-2820) (Support)
11. Steven Lee Montgomery (Oppose)
12. Tina Grandinetti (Oppose)
13. Tyler Dos Santos-Tam, Hawaii Construction Alliance (M-2833) (Support)
14. Lisa Grandinetti (Oppose)
15. Gladys Marrone, Building Industry Association of Hawaii (M-2806) (Support)
16. Craig Washofsky, Servco Home & Commercial Products (M-2846) (Support)
17. Jesse Johnson (Support)
18. Brysen Poulton (Support)
19. Wendell Faria (Support)
20. Shannon Wood, Windward Ahupua'a Alliance (Oppose)
21. John Frigillana, Jr., District Council 50 (Support)
22. Aaron Ho, District Council 50 (Support)
23. Pele Lui-Yuen, District Council 50 (Support)
24. Dwayne Arelliano, District Council 50 (Support)
25. Joe Gonsalves, District Council 50 (Support)
26. David Arakawa, Land Use Research Foundation of Hawaii (M-2867) (Support)
27. Mara Miller (M-2868) (Oppose)
28. Anthony Aalto, Sierra Club (M-2869) (Oppose)
29. Wynnne Hee (M-2870) (Request deferral)
30. Cathy Pham (Support)
31. Laura Kodama, Castle and Cooke Homes Hawaii (M-2871) (Support)
32. Pono Chong, Chamber of Commerce of Hawaii (M-2872) (Support)
33. Michael Dau (Oppose)
34. Al Lardizabal, Laborers' International Union of North America (M-2873) (Support)
35. Lydi Morgan Bernal (M-2874) (Oppose)
36. Peter H. M. Lee (M-2822) (Support)
37. Glen Ida, The Plumbers and Fitters Union (M-2908) (Support)
38. Clyde T. Hayashi, Hawaii Laborers-Employers Cooperation and Education Trust (M-2821) (Support)

- 39. Joby North, Hawaii Laborers Union (Support)
- 40. Linny Morris (Request deferral)

In response to Councilmember Harimoto, Ms. Morris stated that she had heard that Aloun Farms was happy with its new location.

- 41. Kioni Dudley (Request deferral)
- 42. Cynthia Frith (Oppose)
- 43. Mark L. Carson (M-2835) (Oppose)
- 44. Jim Hayes (Oppose)
- 45. Jerilyn Hattori (Support)
- 46. Keith Kurahashi, Kusao & Kurahashi, Inc. (M-2791) (Support)
- 47. Bert Yamamoto (Support)
- 48. Natalie Iwasa (Oppose)
- 49. Zachary Parlee (Oppose)
- 50. Choon James (General comment)

In response to councilmembers, Ms. Laura Kodama, Castle and Cooke Homes Hawaii, stated that:

- Aloun Farms had a 10-year lease at Koa Ridge since 2002. Mr. Sou understood from the very beginning that the site was within the City's urban growth boundary and was aware he would eventually have to move.
- Castle and Cooke waived the rent for Aloun Farms at Koa Ridge since January 2010 in order to help defray any transition costs. Castle and Cooke assisted Alex Sou in the selection of a new site for Aloun Farms.
- Aloun Farms has a 10-year lease from Dole Foods Company with an option for an additional 5 years. The new site has a good water source, B rated soil, and the opportunity for expansion. She does not know what the water costs are.
- Aloun Farms originally leased 335 acres from Dole Foods Company with the potential to expand with another 300 acres. The Farm has already expanded with an additional 90 acres.



In response to councilmembers, Mr. Keith Kurahashi, Kusao and Kurahashi, Inc., stated that:

- The Oahu Metropolitan Planning Organization (OMPO) Oahu Regional Transportation Plan 2035 (ORTP) covered transportation systems that will be funded by the Federal government and also takes into account local system improvements.
- The ORTP identified problems with the roadway network, including traffic on H-2 and Kamehameha Highway with access to and from the Waiawa Koa Ridge and the planned growth in Ewa-Kapolei area.
- The ORTP estimates a travel time of 45 minutes to 60 minutes, taking into account rail being in place and rail ridership projections.
- The Department of Transportation Director has stated that existing routes would be re-routed through Koa Ridge. Once the overpass is in place, a high occupancy vehicle (HOV) lane will take drivers right into the rail station which will have 1,600 parking stalls. The feeder bus system will probably travel through populated areas to get people to the rail station. It should be a short ride from Koa Ridge which is one of the communities closest to the rail station.
- There will be a gap in time between when homes are built and the ridership is established and when routing changes occur.
- Castle and Cooke has planned \$100 million in improvements to roadways surrounding Koa Ridge.
- Castle and Cooke has worked out an agreement with the Department of Education to dedicate an elementary school site and to dedicate a portion of the sale of each home in Koa Ridge to provide funding for improvements.
- He did not know how long it would take to get from Koa Ridge to the rail station using the HOV lane.
- Castle and Cooke agreed to push back the start date of the project to 2015, closer to the launch of the rail line, and to provide bus passes for five years.

In response to councilmembers, Mr. Bruce Barrett, Castle and Cooke Homes Hawaii, stated that:

- In 2010, the Council changed affordable housing percentage from 120 percent to 140 percent of the area median income (AMI) to increase the number of qualified buyers.
- Koa Ridge homes will not be available until 2016. Should interest rates rise to 6 percent, 140 percent of the AMI would be \$560,100.
- Koa Ridge will meet current affordable guidelines—10 percent of the units will be under 140 percent of the AMI, 10 percent of the units will be under 120 percent of the AMI, and 10 percent of the units will be under 80 percent of the AMI.
- The market ultimately dictates the sale price of homes.
- He provided highlights of the affordable housing sales prices listed in his testimony (Communication M-2898).

Councilmember Harimoto spoke in strong support of Bill 48, CD1, FD1. He thanked all of the testifiers for taking the time to attend all of the meetings on the measure. He noted that he also has concerns about open space, the 'aina and the uniqueness of the land. He stated that there needs to be a balance between preserving farm lands and providing housing for Oahu's growing population. As a lifelong resident of Pearl City and one of the two councilmembers of the district where the Koa Ridge development is located, he stated that from a long-term perspective, he believes that the development provides what is best for the district.

Bill 48, CD1 was amended to FD1.

AYES:           ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,  
                      MENOR, PINE, MARTIN – 9.  
NOES:           None.

Councilmember Menor spoke in support of Bill 48, CD1, FD1 with strong reservations. He noted his continued concerns that the Unilateral Agreement (UA) does not include enough traffic mitigation measures. He stated that the community deserves a clear commitment on what transportation improvements will be done and a deadline for the improvements. The UA should also require the developer to set aside a larger number of lower priced affordable residential units at Koa Ridge. He noted that he introduced Resolution 13-168 and Resolution 13-202 which propose substantive improvements to the City's affordable

housing policy to ensure that a significant percentage of the residential units that will be built at Koa Ridge and Ho'opili will be truly affordable. Noting that Councilmember Anderson has promised to schedule the Resolutions for a hearing before the Zoning and Planning Committee in the near future, he urged councilmembers to take action on the measures in a timely manner.

Councilmember Fukunaga spoke in support of Bill 48, CD1, FD1 with reservations. She echoed the concerns raised by Councilmember Menor, particularly with respect to traffic mitigation and infrastructure requirements. She stated that the City should fix existing infrastructure problems before allowing development of additional residential projects. She urged the Administration to closely monitor the impact on traffic once Koa Ridge is completed and to ensure that the mass transit system is designed to mitigate traffic congestion.

Councilmember Manahan spoke in support of Bill 48, CD1, FD1 with reservations. Noting he shares Councilmember Menor's concerns regarding affordable housing requirements, he urged proponents to amend the affordable housing guidelines and requirements through a public-private partnership.

Councilmember Anderson spoke in support of Bill 48, CD1, FD1. As a long supporter of the implementation of Oahu's Second City, he stated that Koa Ridge is a critical component of the residential aspect of the Second City. He noted that the City has a full-service city hall at Kapolei Hale and relocated existing City departments out to Kapolei; the State opened a judiciary complex and the University of Hawaii-West Oahu; the Federal government established a Federal Bureau of Investigation Center in Kapolei; and the State and Federal governments will partner with the City to make mass transit a reality. He stated that Koa Ridge will allow more people to live in relatively close proximity to these amenities and to the mass transit system. He noted that the UA specifies the traffic improvements that will be completed prior to the new homes being occupied and addresses renewable energy through a sustainability plan. He urged councilmembers to support the Bill to reflect the Council's commitment and continued support of implementation of Oahu's Second City. He thanked Councilmembers Menor and Harimoto, the two councilmembers of the district, and the community for being part of the process every step of the way.

Committee Report 354 was adopted and Bill 46, CD1, FD1 passed third reading.

AYES:       ANDERSON,   CHANG,   FUKUNAGA\*,   HARIMOTO,   KOBAYASHI\*,  
              MANAHAN\*, MENOR\*, PINE, MARTIN – 9.  
NOES:       None.

\*Councilmembers Fukunaga, Kobayashi, Manahan, and Menor voted aye with reservations.

Related communications:

D-820	Don S. Kitaoka, Department of the Corporation Counsel
M-2801	Carol L. Kwan
M-2802	Dean Uchida, SSFM International
M-2803	Joy Marshall, League of Women Voters of Honolulu
M-2804	Greg Thielen, Complete Construction Services
M-2805	Alice Rogers
M-2823	Jennifer Stiffarm-Wilson
M-2824	Darin Mingo
M-2826	Gary Karr
M-2829	Alison Rowland-Ciszek
M-2830	Ricky Tamashiro, Masons Union
M-2831	Nolan Moriwaki, Masons Union
M-2834	Robert Tellander
M-2836	John Rogers
M-2837	Beth McDermott
M-2843	Kauai Lucas
M-2844	Jim Hutchinson
M-2848	General Contractors Association of Hawaii
M-2849	Alice Silva
M-2851	Renee Confair Sensano
M-2875	James and Lorrie Roller
M-2876	Lorna Woo, International Union of Painters and Allied Trades
M-2877	Natasha Felstead
M-2878	Paul and Sharlene Silva
M-2879	Joy Shih
M-2880	Cindy Turner, Turner & de Vries, Ltd.
M-2881	Ryan Lau
M-2882	Landin Johnson
M-2883	Christopher Wong
M-2884	Sarah Marie Leone

M-2885	Noah J. Gomes
M-2886	Meleana Judd, Waihuena Farm
M-2887	James McCay, Photonworks Engineering, LLP
M-2888	Nancy Hedlund
M-2889	Andrea Anixt
M-2890	Teresa Parsons
M-2891	Pauline Piliialoha Yap
M-2892	Beth McDermott
M-2893	Caroline Kong
M-2894	Evan Fujimoto
M-2895	Pono Kealoha
M-2896	Liza S. Meyermann
M-2897	Norman Miyasato
M-2898	W. Bruce Barrett, Castle and Cooke Homes Hawaii, Inc.
P-35	Charles K. Kea, et al.
P-36	Todd Uyehara, et al.
P-37	Ernest Akau, et al.
P-38	Tate Ikehara, et al.
P-39	Joyce Gardiner, et al.

## **RECESS/RECONVENE**

At 1:16 p.m., the Chair called for a short recess and reconvened the meeting at 1:27 p.m.

## **FIRST READING**

**BILL 65**

(Executive Matters and Legal Affairs)

A BILL FOR AN ORDINANCE RELATING TO FINANCIAL DISCLOSURES.

Councilmember Harimoto moved that Bill 65 pass first reading. Seconded by Councilmember Kobayashi.

There was no public testimony.

Bill 65 passed first reading.

AYES: FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN, MARTIN – 5.  
NOES: None.  
ABSENT: ANDERSON, CHANG, MENOR, PINE – 4.

**FIRST READING**

BILL 66 (Public Safety and Economic Development)

A BILL FOR AN ORDINANCE RELATING TO ALARM SYSTEMS.

Councilmember Harimoto moved that Bill 66 pass first reading. Seconded by Councilmember Kobayashi.

There was no public testimony.

Bill 66 passed first reading.

AYES: FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN, MARTIN – 5.  
NOES: None.  
ABSENT: ANDERSON, CHANG, MENOR, PINE – 4.

**FIRST READING**

BILL 67 (Public Safety and Economic Development)

A BILL FOR AN ORDINANCE RELATING TO PUBLICATION DISPENSING RACKS AND PUBLICATION DISPENSING RACK ENCLOSURES IN WAIKIKI.

Councilmember Harimoto moved that Bill 67 pass first reading. Seconded by Councilmember Kobayashi.

There was no public testimony.

Bill 67 passed first reading.

AYES: FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN, MARTIN – 5.  
NOES: None.  
ABSENT: ANDERSON, CHANG, MENOR, PINE – 4.

At this juncture, with no objections from the 5 members present, the Chair considered Resolution 13-269, CD1 from page 13 of the agenda.

**ADOPTION**

**RESOLUTION 13-269, CD1, FD1 – COMMITTEE REPORT 344**

RESOLUTION APPROVING A 55-YEAR LEASE AGREEMENT FOR HAWAIIAN HUMANE SOCIETY FOR THE WAIKA DOG POUND, WITH AN AREA OF 2.54 ACRES, TMK: 2-8-024:37.

The following amendment was posted on the agenda:

Resolution 13-269, CD1, Proposed FD1

Councilmember Kobayashi moved that Committee Report 344 and Resolution 13-269, CD1 be adopted. Seconded by Councilmember Harimoto.

Councilmember Kobayashi moved that the Resolution be amended to FD1. Seconded by Councilmember Harimoto. The amendment revises the lease agreement to correct the numbering of Section 38 and attaches the property map to the lease.

The following individuals testified:

1. Pamela Burns, Hawaiian Humane Society (M-2899) (Support)
2. Rick Zwern, Hawaiian Humane Society (M-2900) (Support)
3. Pamela Jones, Hawaiian Humane Society (M-2807) (Support)
4. Ginny Tiu (M-2827) (Support)
5. Laura Thompson (M-2808) (Support)
6. Frank DeGiacomo, Animal Haven (M-2901) (Support)
7. Natalie Iwasa (General comment)

Resolution 13-269, CD1 was amended to FD1.

AYES:        ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,  
              MENOR, PINE, MARTIN – 9.  
NOES:        None.

Councilmember Kobayashi urged the Hawaiian Humane Society to integrate noise mitigation measures in the renovation of the animal holding areas in consideration of their neighbors across the street.

Committee Report 344 and Resolution 13-269, CD1, FD1 were adopted.

AYES:        ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,  
              MENOR, PINE, MARTIN – 9.  
NOES:        None.

Related communications:

M-2809	Elizabeth Rice Grossman
M-2810	Ernest H. Fukeda, Jr.
M-2811	Stephen B. Metter, MW Group, Ltd.
M-2812	Nick Dreher
M-2813	Robert H. Armstrong, Armstrong Companies
M-2814	Brandt Farias
M-2815	Norman Noguchi, Marcus & Associates, Inc.
M-2816	Virginia Weinman, The Weinman Foundation
M-2817	Bob Bean
M-2828	Stan Cadwallader
M-2838	Lawrence D. Rodriguez
M-2845	Sue Sylvester Palumbo, The Cat Clinic
M-2852	Vicky Cayetano
M-2902	E. John Doty
M-2903	Susan Kosasa
M-2904	Mark Polivka
M-2905	Mi Kosasa
M-2906	Eric Ako
M-2911	Francie Boland



The Council Chair returned to the agenda order, Page 7.

**ADOPTION**

**RESOLUTION 13-254 – COMMITTEE REPORT 317**

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM THE HAWAII FIRE CHIEFS ASSOCIATION FOR FIRE CHIEF MANUEL P. NEVES TO ATTEND THE HAWAII FIRE CHIEFS ASSOCIATION'S 35<sup>TH</sup> ANNUAL CONFERENCE FROM NOVEMBER 6 TO 10, 2013.

Councilmember Fukunaga moved that Committee Report 317 and Resolution 13-254 be adopted. Seconded by Councilmember Pine.

The following individual testified:

Choon James (General comment)

Committee Report 317 and Resolution 13-254 were adopted.

AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN, MENOR, PINE, MARTIN – 9.

NOES: None.

**ADOPTION**

**RESOLUTION 13-255 – COMMITTEE REPORT 318**

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM THE HAWAII FIRE CHIEFS ASSOCIATION FOR ASSISTANT CHIEF JEFFREY FARRIS TO ATTEND THE HAWAII FIRE CHIEFS ASSOCIATION'S 35<sup>TH</sup> ANNUAL CONFERENCE FROM NOVEMBER 8 TO 10, 2013.

Councilmember Fukunaga moved that Committee Report 318 and Resolution 13-255 be adopted. Seconded by Councilmember Pine.

There was no public testimony.

Committee Report 318 and Resolution 13-255 were adopted.

AYES:        ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,  
              MENOR, PINE, MARTIN – 9.  
NOES:        None.

**ADOPTION**

**RESOLUTION 13-256 – COMMITTEE REPORT 319**

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM THE NATIONAL FIRE PROTECTION ASSOCIATION FOR FIRE CHIEF MANUEL P. NEVES TO ATTEND THE *REMEMBERING WHEN*<sup>™</sup> TRAINING CONFERENCE ON DECEMBER 2-3, 2013.

Councilmember Fukunaga moved that Committee Report 319 and Resolution 13-256 be adopted. Seconded by Councilmember Pine.

There was no public testimony.

Committee Report 319 and Resolution 13-256 were adopted.

AYES:        ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,  
              MENOR, PINE, MARTIN – 9.  
NOES:        None.

**ADOPTION**

**RESOLUTION 13-258, CD1 – COMMITTEE REPORT 320**

RESOLUTION EXPRESSING SUPPORT FOR STATE LEGISLATION THAT WOULD AUTHORIZE COUNTY POLICE DEPARTMENTS TO ENABLE THE ELECTRONIC RECORDING AND TRANSFER OF PAWNBROKER AND SECONDHAND DEALER TRANSACTION INFORMATION.

Councilmember Fukunaga moved that Committee Report 320 and Resolution 13-258, CD1 be adopted. Seconded by Councilmember Pine.

There was no public testimony.

Councilmember Fukunaga stated that Resolution 13-253, CD1 was intended to give the State Legislature an opportunity to amend the underlying State statute in order to allow Council action on the Honolulu Police Department's bills (Bill 51 and 52).

Committee Report 320 and Resolution 13-258, CD1 were adopted.

AYES:        ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,  
              MENOR, PINE, MARTIN – 9.  
NOES:        None.

**ADOPTION**

**RESOLUTION 13-240 – COMMITTEE REPORT 323**

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM SHINNYO EN HAWAII FOR ALA MOANA REGIONAL PARK.

Councilmember Manahan moved that Committee Report 323 and Resolution 13-240 be adopted. Seconded by Councilmember Menor.

There was no public testimony.

Councilmember Kobayashi thanked Shinnyo En Hawaii for its Floating Lantern event which brings comfort and closure to those who have suffered the loss of a loved one, and for always making a generous donation to help restore Ala Moana Park.

Committee Report 323 and Resolution 13-240 were adopted.

AYES:        ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,  
              MENOR, PINE, MARTIN – 9.  
NOES:        None.

**ADOPTION**

**RESOLUTION 13-244 – COMMITTEE REPORT 324**

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM THE MOANALUA VALLEY COMMUNITY ASSOCIATION, INC. FOR MOANALUA VALLEY NEIGHBORHOOD PARK.

Councilmember Manahan moved that Committee Report 324 and Resolution 13-244 be adopted. Seconded by Councilmember Menor.

There was no public testimony.

Committee Report 324 and Resolution 13-244 were adopted.

AYES:       ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,  
              MENOR, PINE, MARTIN – 9.  
NOES:       None.

**ADOPTION**

**RESOLUTION 13-246 – COMMITTEE REPORT 325**

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM REGION IV, AMERICAN ASSOCIATION OF MOTOR VEHICLE ADMINISTRATORS TO ATTEND REGION IV CHIEF ADMINISTRATOR'S MEETING IN DENVER, COLORADO, ON NOVEMBER 6 THROUGH NOVEMBER 8, 2013.

Councilmember Manahan moved that Committee Report 325 and Resolution 13-246 be adopted. Seconded by Councilmember Menor.

There was no public testimony.

Committee Report 325 and Resolution 13-246 were adopted.

AYES:       ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,  
              MENOR, PINE, MARTIN – 9.  
NOES:       None.

**ADOPTION**

**RESOLUTION 13-249 – COMMITTEE REPORT 326**

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM AQUA HOSPITALITY HAWAII FOR THE CITY'S ANNUAL TALK STORY FESTIVAL AT THE ALA WAI GOLF COURSE CLUBHOUSE.

Councilmember Manahan moved that Committee Report 326 and Resolution 13-249 be adopted. Seconded by Councilmember Menor.

There was no public testimony.

Committee Report 326 and Resolution 13-249 were adopted.

AYES:       ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,  
              MENOR, PINE, MARTIN – 9.  
NOES:       None.

**ADOPTION**

**RESOLUTION 13-259 – COMMITTEE REPORT 327**

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM FIRST HAWAIIAN BANK FOR THE ANNUAL MAYOR'S CRAFT AND COUNTRY FAIR.

Councilmember Manahan moved that Committee Report 327 and Resolution 13-259 be adopted. Seconded by Councilmember Menor.

There was no public testimony.

Committee Report 327 and Resolution 13-259 were adopted.

AYES:       ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,  
              MENOR, PINE, MARTIN – 9.  
NOES:       None.

**ADOPTION**

**RESOLUTION 13-264 – COMMITTEE REPORT 328**

RESOLUTION RELATING TO THE IMMEDIATE ACCEPTANCE OF A GIFT TO THE CITY FOR THE MAYOR'S "HAWAII REMEMBERS SENATOR DANIEL K. INOUE" EVENT ON SEPTEMBER 7, 2013.

Councilmember Manahan moved that Committee Report 328 and Resolution 13-264 be adopted. Seconded by Councilmember Menor.

The following individual testified:

Natalie Iwasa (General comment)

Committee Report 328 and Resolution 13-264 were adopted.

AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,  
MENOR, PINE, MARTIN – 9.  
NOES: None.

**ADOPTION**  
**RESOLUTION 13-265 – COMMITTEE REPORT 329**

RESOLUTION RELATING TO THE IMMEDIATE ACCEPTANCE OF A GIFT TO THE CITY FOR THE MAYOR'S "HAWAII REMEMBERS SENATOR DANIEL K. INOUE" EVENT ON SEPTEMBER 7, 2013.

Councilmember Manahan moved that Committee Report 329 and Resolution 13-265 be adopted. Seconded by Councilmember Menor.

The following individual testified:

Natalie Iwasa (General comment)

Committee Report 329 and Resolution 13-265 were adopted.

AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,  
MENOR, PINE, MARTIN – 9.  
NOES: None.

**ADOPTION**  
**RESOLUTION 13-266 – COMMITTEE REPORT 330**

RESOLUTION RELATING TO THE IMMEDIATE ACCEPTANCE OF A GIFT TO THE CITY FOR THE MAYOR'S "HAWAII REMEMBERS SENATOR DANIEL K. INOUE" EVENT ON SEPTEMBER 7, 2013.

Councilmember Manahan moved that Committee Report 330 and Resolution 13-266 be adopted. Seconded by Councilmember Menor.

The following individual testified:

Natalie Iwasa (General comment)

Committee Report 330 and Resolution 13-266 were adopted.

AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,  
MENOR, PINE, MARTIN – 9.  
NOES: None.

#### **ADOPTION**

#### **RESOLUTION 13-262, FD1 – COMMITTEE REPORT 333**

RESOLUTION AMENDING THE RULES OF THE COUNCIL RELATING TO WRITTEN TESTIMONY.

The following amendment was posted on the agenda:

Resolution 13-262, Proposed FD1

Councilmember Menor moved that Committee Report 333 and Resolution 13-262 be adopted. Seconded by Councilmember Fukunaga.

Councilmember Fukunaga moved that the Resolution be amended to FD1. Seconded by Councilmember Menor. The amendment changes the effective date to February 1, 2014.

The following individual testified:

Natalie Iwasa (General comment)

Resolution 13-262 was amended to FD1.

AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,  
MENOR, PINE, MARTIN – 9.  
NOES: None.

Committee Report 333 and Resolution 13-262, FD1 were adopted.

AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,  
MENOR, PINE, MARTIN – 9.  
NOES: None.

**ADOPTION**

**RESOLUTION 13-234 – COMMITTEE REPORT 339**

RESOLUTION URGING THE CITY ADMINISTRATION TO IMMEDIATELY CONFORM ITS  
PROCUREMENT PROCESS WITH ACT 239.

Councilmember Kobayashi moved that Committee Report 339 and Resolution 13-234 be  
adopted. Seconded by Councilmember Chang.

There was no public testimony.

Committee Report 339 and Resolution 13-234 were adopted.

AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,  
MENOR, PINE, MARTIN – 9.  
NOES: None.

Related communications:

CC-222 Councilmember Kymberly Pine  
D-823 Nelson H. Koyanagi, Jr., Department of Budget and Fiscal Services  
M-2725 The Pacific Resource Partnership

**ADOPTION**

**RESOLUTION 13-250, CD1 – COMMITTEE REPORT 340**

RESOLUTION RELATING TO THE EXECUTIVE OPERATING BUDGET AND PROGRAM  
FOR FISCAL YEAR 2014, ORDINANCE NO. 13-19, SECTION 10, MISCELLANEOUS  
PROVISION FOR GRANTS AND PARTNERSHIPS, AND THE TRANSFER OF FUNDS TO  
THE DEPARTMENT OF TRANSPORTATION SERVICES FOR THE COMPLETE  
STREETS IMPLEMENTATION STUDY (WE 203.05-14).



Councilmember Kobayashi moved that Committee Report 340 and Resolution 13-250, CD1 be adopted. Seconded by Councilmember Chang.

There was no public testimony.

Committee Report 340 and Resolution 13-250, CD1 were adopted.

AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,  
MENOR, PINE, MARTIN – 9.

NOES: None.

**ADOPTION**

**RESOLUTION 13-252, CD1 – COMMITTEE REPORT 341**

RESOLUTION APPROVING COLLECTIVE BARGAINING COST ITEMS FOR THE INCLUDED EMPLOYEES OF THE CITY AND COUNTY OF HONOLULU IN BARGAINING UNIT 10 (UNITED PUBLIC WORKERS).

Councilmember Kobayashi moved that Committee Report 341 and Resolution 13-252, CD1 be adopted. Seconded by Councilmember Chang.

The following individual testified:

Natalie Iwasa (General comment)

Committee Report 341 and Resolution 13-252, CD1 were adopted.

AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,  
MENOR, PINE, MARTIN – 9.

NOES: None.

**ADOPTION**

**RESOLUTION 13-253, CD1 – COMMITTEE REPORT 342**

RESOLUTION APPROVING COLLECTIVE BARGAINING COST ITEMS FOR THE HAWAII GOVERNMENT EMPLOYEES ASSOCIATION BARGAINING UNIT 13, INCLUDED, EXCLUDED, AND EXCLUDED MANAGERIAL EMPLOYEES OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Kobayashi moved that Committee Report 342 and Resolution 13-253, CD1 be adopted. Seconded by Councilmember Chang.

There was no public testimony.

Committee Report 342 and Resolution 13-253, CD1 were adopted.

AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,  
MENOR, PINE, MARTIN – 9.

NOES: None.

**ADOPTION**

**RESOLUTION 13-257 – COMMITTEE REPORT 343**

RESOLUTION RELATING TO THE TRANSFER OF FUNDS.

Councilmember Kobayashi moved that Committee Report 343 and Resolution 13-257 be adopted. Seconded by Councilmember Chang.

There was no public testimony.

Committee Report 343 and Resolution 13-257 were adopted.

AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,  
MENOR, MARTIN – 8.

NOES: None.

ABSENT: PINE – 1.

(Note: Committee Report 344 and Resolution 13-269, CD1, were considered earlier in the meeting. See page 15.)

**ADOPTION**

**RESOLUTION 13-226 – COMMITTEE REPORT 349**

RESOLUTION APPROVING THE GRANT OF SUBSURFACE EASEMENT A TO THE KAMEHAMEHA SCHOOLS WITHIN A PORTION OF THE CITY'S KAWAIAHAO STREET, TMK: 2-1-032.

Councilmember Chang moved that Committee Report 349 and Resolution 13-226 be adopted. Seconded by Councilmember Kobayashi.

There was no public testimony.

Committee Report 349 and Resolution 13-226 were adopted.

AYES:           ANDERSON, CHANG, HARIMOTO, KOBAYASHI, MANAHAN, MENOR,  
                    PINE, MARTIN – 8.

NOES:           None.

ABSENT:        FUKUNAGA – 1.

#### **ADOPTION**

##### **RESOLUTION 13-238, CD1 – COMMITTEE REPORT 350**

**RESOLUTION RELATING TO THE 2014 HAWAII STATE ASSOCIATION OF COUNTIES  
LEGISLATIVE PACKAGE.**

Councilmember Pine moved that Committee Report 350 and Resolution 13-238, CD1 be adopted. Seconded by Councilmember Harimoto.

The following individual testified:

Natalie Iwasa (General comment)

Councilmember Pine clarified that the Resolution brings elected City officials up to State standards by allowing councilmembers to attend public meetings relating to important issues before the Council.

Councilmember Harimoto noted that currently it is not simple for councilmembers to gather and attend a public meeting; instead the Council must go through the cumbersome and time-consuming process of forming a permitted interaction group to attend the meeting and then preparing a report afterward.

Committee Report 350 and Resolution 13-238, CD1 were adopted.

AYES:        ANDERSON, CHANG, HARIMOTO, KOBAYASHI, MANAHAN, MENOR,  
               PINE, MARTIN – 8.  
NOES:        None.  
ABSENT:      FUKUNAGA – 1.

**ADOPTION**

**RESOLUTION 13-241 – COMMITTEE REPORT 351**

RESOLUTION AUTHORIZING THE MAYOR, THE DIRECTOR OF COMMUNITY SERVICES, OR THE DIRECTOR'S DESIGNATED REPRESENTATIVES TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII, DEPARTMENT OF HUMAN SERVICES, OFFICE OF YOUTH SERVICES (OYS), TO CONTINUE FUNDING OF THE JUVENILE JUSTICE CENTER.

Councilmember Pine moved that Committee Report 351 and Resolution 13-241 be adopted. Seconded by Councilmember Harimoto.

There was no public testimony.

Committee Report 351 and Resolution 13-241 were adopted.

AYES:        ANDERSON, CHANG, HARIMOTO, KOBAYASHI, MANAHAN, MENOR,  
               PINE, MARTIN – 8.  
NOES:        None.  
ABSENT:      FUKUNAGA – 1.

**ADOPTION**

**RESOLUTION 13-247 – COMMITTEE REPORT 352**

RESOLUTION AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII DEPARTMENT OF TRANSPORTATION TO TRANSFER FEDERAL FISCAL YEAR 2012 JOB ACCESS AND REVERSE COMMUTE (JARC) AND NEW FREEDOM SMALL URBANIZED AREA FUNDS TO THE CITY AND COUNTY DEPARTMENT OF TRANSPORTATION SERVICES.

Councilmember Pine moved that Committee Report 352 and Resolution 13-247 be adopted. Seconded by Councilmember Harimoto.

There was no public testimony.

Committee Report 352 and Resolution 13-247 were adopted.

AYES: ANDERSON, CHANG, HARIMOTO, KOBAYASHI, MANAHAN, MENOR,  
PINE, MARTIN – 8.

NOES: None.

ABSENT: FUKUNAGA – 1.

#### **ADOPTION**

##### **RESOLUTION 13-248, CD1 – COMMITTEE REPORT 353**

RESOLUTION AUTHORIZING THE FILING OF APPLICATIONS WITH THE FEDERAL TRANSIT ADMINISTRATION FOR FEDERAL TRANSPORTATION ASSISTANCE AUTHORIZED BY TITLE 49 U.S.C. 5316 AND TITLE 49 U.S.C. 5317, UNITED STATES CODE, AND OTHER FEDERAL STATUTES ADMINISTERED BY THE FEDERAL TRANSIT ADMINISTRATION.

Councilmember Pine moved that Committee Report 353 and Resolution 13-248, CD1 be adopted. Seconded by Councilmember Harimoto.

There was no public testimony.

Committee Report 353 and Resolution 13-248, CD1 were adopted.

AYES: ANDERSON, CHANG, HARIMOTO, KOBAYASHI, MANAHAN, MENOR,  
PINE, MARTIN – 8.

NOES: None.

ABSENT: FUKUNAGA – 1.

**ADOPTION**

**RESOLUTION 13-166 – COMMITTEE REPORT 357**

RESOLUTION PROPOSING AN AMENDMENT TO CHAPTER 22, REVISED ORDINANCES OF HONOLULU 1990 (THE SUBDIVISION ORDINANCE), AS AMENDED, RELATING TO THE ACCEPTANCE OF EASEMENTS BY THE CITY.

Councilmember Anderson moved that Committee Report 357 and Resolution 13-166 be adopted. Seconded by Councilmember Harimoto.

There was no public testimony.

Committee Report 357 and Resolution 13-166 were adopted.

AYES: ANDERSON, CHANG, HARIMOTO, KOBAYASHI, MANAHAN, MENOR, PINE, MARTIN – 8.

NOES: None.

ABSENT: FUKUNAGA – 1.

**BALANCE OF COMMITTEE REPORTS**

EMLACR-334	To request authorization to settle a civil lawsuit brought against the City entitled, Ellis Lalau v. City; USDC Civil No. 11-00268 DKW/RLP.
EMLACR-335	To request authorization to settle a civil lawsuit brought against the City entitled, Mr. Sandman, et al. v. City, et al.; Civil No. 05-1-2145-12 JHC, filed in Circuit Court.
EMLACR-336	To request authorization to settle a civil lawsuit brought against the City entitled, Okada Trucking Co., Ltd. v. City; Civil No. 12-1-0351-02 RAN, filed in Circuit Court.
BCR-345	Real property tax compromise of \$28,840 for the 2013-2014 real property tax for His Highest Praise International for property located at 427 Kamakee Street, Tax Map Key 2-3-004-033. ( <u>D-771</u> )

- BCR-346 Real property tax compromise of \$36,156.83 for the 2013-2014 real property tax for Chaminade University for property located at 3353 Waialae Avenue, Tax Map Key 3-2-004-060. (D-780)
- BCR-347 Real property tax compromise of \$454,854.44 for the 2013-2014 real property tax for Queen's Medical Center for various properties located on Fort Weaver Road. (D-781)
- BCR-348 Real property tax compromise of \$21,254.92 for the 2013-2014 real property tax for Emmanuel Korean Baptist Church for property located at 1640 South King Street, Tax Map Key 2-8-001-017. (D-782)

Councilmember Anderson moved that the Balance of Committee Reports, as listed above, be adopted. Seconded by Councilmember Harimoto.

There was no public testimony.

The Balance of Committee Reports was adopted.

AYES: ANDERSON, CHANG, HARIMOTO, KOBAYASHI, MANAHAN, MENOR, PINE, MARTIN – 8.  
NOES: None.  
ABSENT: FUKUNAGA – 1.

## **UNFINISHED BUSINESS**

There was no unfinished business.

## **NEW BUSINESS**

### **ADOPTION**

#### **RESOLUTION 13-272**

RESOLUTION ACCEPTING A GIFT TO THE CITY TO PARTICIPATE IN THE NATIONAL LEAGUE OF CITIES CONGRESS OF CITIES AND EXPOSITION 2013 IN SEATTLE, WASHINGTON.

Resolution 13-272 was waived to the Council floor by the Chair of the Intergovernmental Affairs and Human Services Committee.

Councilmember Anderson moved that Resolution 13-272 be adopted. Seconded by Councilmember Harimoto.

There was no public testimony.

Chair Martin noted that the gift was accepted on behalf of the Office of Council Services and that Ivan Kaisan was attending the National League of Cities Congress of Cities and Exposition 2013 currently under way in Seattle, Washington.

Resolution 13-272 was adopted.

AYES: ANDERSON, CHANG, HARIMOTO, KOBAYASHI, MANAHAN, MENOR, PINE, MARTIN – 8.

NOES: None.

ABSENT: FUKUNAGA – 1.

Related communication:

CC-216 Councilmember Kymberly Pine

## **COMMITTEE OF THE WHOLE/EXECUTIVE SESSION**

There was no Executive Session.

## **RECESS/RECONVENE**

At 2:14 p.m., the Chair called for a recess and reconvened the meeting at 2:18 p.m.

Excused: Councilmembers Anderson and Fukunaga – 2.

## **EXECUTIVE SESSION ITEMS**

There were no Executive Session items.



## **ORDER OF THE DAY - AFTERNOON CALENDAR**

### **APPOINTMENTS**

#### **PUBLIC HEARING**

CLAIRE E. GOLDBERG, REAL PROPERTY TAX BOARD OF REVIEW II (MM-143)

There was no public testimony.

The Chair acknowledged the presence of the Mayor's nominee and referred the matter and Communication MM-143 to the Committee on Budget for further consideration.

AYES:        ANDERSON, CHANG, HARIMOTO, KOBAYASHI, MANAHAN, MENOR,  
                 PINE, MARTIN – 8.

NOES:        None.

ABSENT:     FUKUNAGA – 1.

Related communication:

M-2842       Gary Slovin and Mihoko E. Ito, Slovin & Ito, LLP

#### **PUBLIC HEARING**

RICKY H. TANIGUCHI, BOARD OF PARKS AND RECREATION (MM-161)

The following individual testified:

Choon James (General comments)

The Chair acknowledged the presence of the Mayor's nominee and referred the matter and Communication MM-161 to the Committee on Parks and Customer Services for further consideration.

AYES:        ANDERSON, CHANG, HARIMOTO, KOBAYASHI, MANAHAN, MENOR,  
                 PINE, MARTIN – 8.

NOES:        None.

ABSENT:     FUKUNAGA – 1.

**PUBLIC HEARING**

**ALFRED C. LARDIZABAL, CIVIL SERVICE COMMISSION (MM-162)**

There was no public testimony.

The Chair acknowledged the presence of the Mayor's nominee and referred the matter and Communication MM-162 to the Committee on Executive Matters and Legal Affairs for further consideration.

AYES:           ANDERSON, CHANG, HARIMOTO, KOBAYASHI, MANAHAN, MENOR,  
                    PINE, MARTIN – 8.  
NOES:           None.  
ABSENT:        FUKUNAGA – 1.

Related communications:

M-2853        Tyler Dos Santos-Tam, Hawai'i Construction Alliance  
M-2857        Randy Perreira, Hawaii Government Employees Association  
M-2907        Joan Lee Husted

**PUBLIC HEARING/ADOPTION**

**RESOLUTION 13-260, CD1 – COMMITTEE REPORT 321**

AUTHORIZING THE USE OF OVERT VIDEO MONITORING IN THE CITY AND COUNTY OF HONOLULU TO PREVENT AND DETER GENERAL CRIMINAL ACTIVITY AND ACHIEVE THE LEGITIMATE LAW ENFORCEMENT OBJECTIVE AND LEGITIMATE PUBLIC PURPOSE OF ENSURING A SAFE AND SECURE 2013 HONOLULU MARATHON EVENT.

Councilmember Pine moved that Committee Report 321 and Resolution 13-260, CD1 be adopted. Seconded by Councilmember Anderson.

The following individual testified:

Natalie Iwasa (Opposed)

Councilmember Pine explained that the Committee on Public Safety and Economic Development had taken concerns into consideration; however, in abundance of caution to ensure residents' safety and to deter crime, the Committee recommended adoption of the

measure. Since many Hawaii residents were in the Boston Marathon when the bombing occurred, residents are concerned about the safety of the Honolulu Marathon.

Councilmember Manahan expressed his support of the Resolution. He noted that the Honolulu Police Department has advocated for the installation of cameras for businesses within the Weed and Seed areas that could aid in prosecuting criminals.

Committee Report 321 and Resolution 13-260, CD1 were adopted.

AYES: ANDERSON, CHANG, HARIMOTO, KOBAYASHI, MANAHAN, MENOR,  
PINE, MARTIN – 8.  
NOES: None.  
ABSENT: FUKUNAGA – 1.

Related communications:

D-824	Gerald Kaneshiro, Police Department
D-825	Ross S. Sasamura, Department of Facility Maintenance
D-826	Melvin N. Kaku, Department of Emergency Management
D-831	Fire Chief Manuel P. Neves, Honolulu Fire Department
M-2841	Richard Peterson, Citizens Advisory Commission on Civil Defense
M-2858	Karl A. Godsey
M-2861	Paul Putzulu, Hawaii State Fusion Center
M-2862	George W. Greene, Healthcare Association of Hawaii

## **DEFERRED**

### **BILL 62 – COMMITTEE REPORT 322**

A BILL FOR AN ORDINANCE RELATING TO HELMETS.

Councilmember Manahan moved that Committee Report 322 and Bill 62 be deferred.  
Seconded by Councilmember Menor.

The following individual testified:

Major Raymond Ancheta, Honolulu Police Department (HPD) (D-827) (Support)

Councilmember Manahan explained his continued efforts to address the safety of children who ride skateboards and similar devices. There has been strong support from parents and health care professionals for helmet safety legislation for young riders. Although the

HPD supports the intent of the Bill, there are concerns regarding enforcement. Councilmember Manahan requested that the Council defer action to allow him the opportunity to work with all stakeholders to seek options for effective compliance through education, rather than imposing penalties. He expressed hesitance to move the Bill forward in its current form due to the consequence of arrest of minors.

Action on Committee Report 322 and Bill 62 were deferred.

AYES: ANDERSON, CHANG, HARIMOTO, KOBAYASHI, MANAHAN, MENOR,  
PINE, MARTIN – 8.  
NOES: None.  
ABSENT: FUKUNAGA – 1.

## **SECOND READING/PUBLIC HEARING**

### **RESOLUTION 13-216, FD1 – COMMITTEE REPORT 331**

INITIATING AMENDMENTS TO THE REVISED CHARTER OF THE CITY AND COUNTY OF HONOLULU 1973, AS AMENDED, RELATING TO THE BOARD OF WATER SUPPLY.

Councilmember Menor moved that Committee Report 331 be adopted and Resolution 13-16, FD1 pass second reading. Seconded by Councilmember Pine.

The following individuals testified:

1. Ernest Lau, P.E., Manager and Chief Engineer, Board of Water Supply (BWS) (D-830) (Oppose)

In response to Councilmembers' questions, Manager and Chief Engineer Lau explained that the BWS acknowledges residents' concerns regarding the problems with recalculated water bills. The BWS boosted its customer service efforts to address concerns and reviews each billing situation on a case-by-case basis. Water bills would be adjusted accordingly if there was any type of water leak during the estimated billing period.

Councilmember Pine thanked the BWS for being responsive in addressing the growing number of billing complaints.

2. Natalie Iwasa (Oppose)

3. Dan Carpenter (M-2855) (Support)

In response to Councilmembers' questions, Mr. Carpenter explained that as a former Water Commissioner in Oregon, meter readings were done manually.

4. Mark Hervey (Support)

In response to Councilmembers' questions, Mr. Hervey explained that his water bill had increased \$800 from the previous billing period. After inquiring with the BWS, he was told that the bill was based on direct readings of his water meter.

Councilmember Anderson recommended that the BWS work with Mr. Hervey to resolve his concerns.

5. Virgie Jarlaba (Support)

In response to Councilmembers' questions, Ms. Jarlaba noted that she was informed by BWS that her parents' bill had been adjusted from \$7,000 down to \$344.

Councilmember Pine thanked Ms. Jarlaba for testifying and sharing her billing experience with the Council.

In response to Councilmembers' questions for additional information, Manager and Chief Engineer Lau explained that the details of the billing problems need further research by looking into the customer's information system and meter records. Earlier in the year, there was an increase in generated estimated bills, which the BWS is now working to recalculate. In some cases, the meter readings have already been done, but until the manual review is completed, the program continues to use estimates.

Councilmember Pine spoke in support of the Resolution and noted receiving numerous testimonies and calls from distressed residents who have received recalculated bills in exorbitant amounts. She noted that no other company in Honolulu conducts business the way that the BWS does. She strongly urged that the Council move the Resolution forward to continue to discuss the issue and take care of constituents.

Committee Report 331 adopted and Resolution 13-216, FD1 passed second reading.

AYES: ANDERSON, CHANG\*, HARIMOTO\*, KOBAYASHI, MANAHAN\*, MENOR,  
PINE, MARTIN – 8.  
NOES: None.  
ABSENT: FUKUNAGA – 1.

\*Councilmembers Chang, Harimoto and Manahan voted aye with reservations.

Related communications:

M-2839	Melanie White
M-2840	Marsha Graham
M-2854	Jayne Labajo
M-2856	Richard Drake Jones
M-2859	Mahealani Cypher
M-2860	Ronald Fong

**SECOND READING/PUBLIC HEARING**  
**RESOLUTION 13-221 – COMMITTEE REPORT 332**

INITIATING AMENDMENTS TO THE REVISED CHARTER OF THE CITY AND COUNTY OF HONOLULU 1973, AS AMENDED, RELATING TO EMINENT DOMAIN.

Councilmember Menor moved that Committee Report 332 be adopted and Resolution 13-221 pass second reading. Seconded by Councilmember Pine.

The following individuals testified:

1. Choon James (General comments)
2. Chris T. Takashige, Director, Department of Design and Construction (DDC) (Oppose)

In response to Councilmembers' questions, Director Takashige noted that the proposed Charter amendment is ambiguous regarding the 90-day provision and whether the eminent domain process involves three readings or a single reading by the Council.

3. Natalie Iwasa (Oppose)

Councilmember Manahan expressed that he would be voting against the Resolution as he feels hesitant to move the measure forward.

Councilmember Harimoto stated that he would be voting in opposition to the Resolution. He explained that since concerns were raised at the Committee on Executive Matters and Legal Affairs meeting, the Council has not received new information. He agrees with public testimony that the proposed Charter amendment may be a violation of the City Charter.

Council Chair Martin explained that he introduced the Resolution in response to the issues occurring at Kahuku Villages. Last year, the Council adopted Resolution 12-90, requesting the Administration to initiate condemnation proceedings of land in Kahuku Villages; however, the Administration failed to act on the Resolution. Although the DDC Director testified that other actions can be taken prior to executing condemnation, nothing was done with regards to Kahuku Villages. Council Chair Martin further stated his intent to introduce amendments to the Resolution to address concerns.

Committee Report 332 adopted and Resolution 13-221 passed second reading.

AYES:        ANDERSON, CHANG\*, KOBAYASHI, MENOR\*, PINE, MARTIN – 6.  
NOES:        HARIMOTO, MANAHAN – 2.  
ABSENT:     FUKUNAGA – 1.

\*Councilmembers Chang and Menor voted aye with reservations.

**SECOND READING/PUBLIC HEARING**  
**BILL 63 – COMMITTEE REPORT 338**

A BILL FOR AN ORDINANCE TO REAL PROPERTY TAXATION.

The following amendment was handcarried to the meeting:

Bill 63, Proposed FD1 (OCS/110713/03:56/CT)

Councilmember Kobayashi moved that Committee Report 338 be adopted and Bill 63 pass second reading. Seconded by Councilmember Chang.

Councilmember Manahan moved that the Bill be amended to an FD1. Seconded by Councilmember Pine. The FD1 amendment increases the assessed value of Residential A real property from \$1,000,000 to \$1,500,000.

The following individuals testified:

1. Natalie Iwasa (Support)
2. Nelson Koyanagi, Jr., Director, Department of Budget and Fiscal Services (BFS) (Oppose)

In response to Councilmembers' questions, Director Koyanagi explained:

- Properties that do not have any tax exemptions and valued over \$1 million would be classified as Residential A.
- There are approximately 5,676 properties that could be classified as Residential A with the \$1 million threshold. If the threshold is increased to \$1.5 million, the number of properties could be reduced by 40%.
- The City's Real Property Tax Division could periodically review the new Residential A classification if any adjustments are necessary, depending on the rate and market changes.

Councilmember Manahan expressed concerns on the impacts for renters, including non-residents and those who rent out a second home. He also suggested minimal tax rates on parcels that are zoned R-3.5, R-5 and R-7.5.

Councilmember Kobayashi expressed her opposition to amend the Bill on second reading and suggested that further consideration be discussed by the Committee on Budget. Out of the 10 revenue enhancement bills proposed by the Administration to meet the \$150 million increased costs for next year, the Residential A real property classification is the only measure that survived. The justification for the \$1 million threshold is because it would be unlikely for local renters to rent a home that is valued over \$1 million. The Committee acknowledged the importance of protecting local renters, as well as residents with home exemptions.

Bill 63 was amended to FD1 (OCS/110713/03:56/CT).

AYES: ANDERSON\*, CHANG\*, MANAHAN, MENOR\*, PINE\* – 5.  
NOES: HARIMOTO, KOBAYASHI, MARTIN – 3.  
ABSENT: FUKUNAGA – 1.

\*Councilmembers Anderson, Chang, Menor and Pine voted aye with reservations.



Committee Report 338 was adopted and Bill 63, FD1 passed second reading.

AYES:        ANDERSON\*, CHANG\*, HARIMOTO\*, KOBAYASHI\*, MANAHAN, MENOR\*,  
               PINE, MARTIN\* – 8.  
NOES:        None.  
ABSENT:      FUKUNAGA – 1.

\*Councilmembers Anderson, Chang, Harimoto, Kobayashi, Menor and Martin voted aye with reservations.

**SECOND READING/PUBLIC HEARING**  
**BILL 56, CD1 – COMMITTEE REPORT 355**

A BILL FOR AN ORDINANCE TO FLOOD HAZARD AREAS.

Councilmember Anderson moved that Committee Report 355 be adopted and Bill 56 pass second reading, as amended to CD1. Seconded by Councilmember Harimoto.

There was no public testimony.

Committee Report 355 and Bill 56, CD1 passed second reading.

AYES:        ANDERSON, CHANG, HARIMOTO, KOBAYASHI, MANAHAN, MENOR,  
               PINE, MARTIN – 8.  
NOES:        None.  
ABSENT:      FUKUNAGA – 1.

**SECOND READING/PUBLIC HEARING**  
**BILL 61 – COMMITTEE REPORT 356**

A BILL FOR AN ORDINANCE TO SIGNS.

Councilmember Anderson moved that Committee Report 356 be adopted and Bill 61 pass second reading. Seconded by Councilmember Harimoto.

There was no public testimony.

Councilmember Kobayashi explained that the Bill allows private schools to display signage for special events with equal requirements that are provided for public schools.

Councilmember Anderson noted that the Administration prefers a uniform policy relating to signage; however, the Committee on Zoning and Planning suggested that it would be best to review the issue of signage on a case-by-case basis. He looks forward to further discussion as the Bill is referred back to Committee for consideration.

Committee Report 356 adopted and Bill 61 passed second reading.

AYES: ANDERSON, CHANG, HARIMOTO, KOBAYASHI, MANAHAN, MENOR,  
PINE, MARTIN – 8.

NOES: None.

ABSENT: FUKUNAGA – 1.

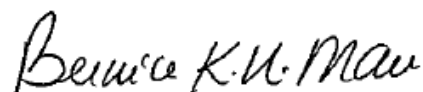
### **ANNOUNCEMENTS**

Councilmember Manahan requested for a moment of silence in remembrance of the victims of Typhoon Haiyan in the Philippines.

### **ADJOURNMENT**

At 3:36 p.m., Councilmember Anderson moved that the Council stand adjourned until Wednesday, December 11, 2013, at 10:00 a.m. Seconded by Councilmember Harimoto and there being no objections from the 8 members present (Absent: Fukunaga – 1.), it was so ordered by the Chair.

Respectfully submitted,



BERNICE K.N. MAU  
City Clerk

vc/el

DATE APPROVED:

December 11, 2013